

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 SCS-06 CA-01 CIAE-00 DODE-00 PM-05
H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01
SP-02 SS-15 USIA-06 EB-08 DOTE-00 HA-05 /079 W
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FM AMEMBASSY BERLIN
TO SECSTATE WASHDC 6660
INFO AMEMBASSY BONN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USBERLIN
USMISSION USNATO

C O N F I D E N T I A L SECTION 01 OF 02 BERLIN 00870

E.O. 11652: GDS
TAGS: PFOR, GE, US, WB, AKB, EAIR
SUBJECT: GDR MFA COMPLAINTS TO EMBASSY ABOUT ALLEGED
- TRAFFIC VIOLATIONS AND ABOUT BERLINAIR

REF: A. 77BERLIN 8400 (NOTAL),
- B. 77BERLIN 8507.

1. AT MEETING FEBRUARY 3, GDR MFA USA DIVISION DEPUTY
CHIEF RICHTER RAISED WITH DCM GDR COMPLAINT ABOUT ALLEGED
TRAFFIC ACCIDENTS AND VIOLATIONS OF GDR ORDINANCES BY
"U.S. CITIZENS DURING THEIR STAY IN BERLIN, THE CAPITAL OF
THE GDR". RICHTER BEGAN HIS PRESENTATION SAYING HE HAD
RAISED THE ISSUE BEFORE (REF A) AND REALIZED THAT BOTH
SIDES HAD DIFFERENT VIEWS ON THE MATTER. HOWEVER, IN THE
INTERESTS OF THE AFFECTED GDR CITIZENS, HE HAD BEEN
INSTRUCTED TO RAISE THE MATTER AGAIN. RICHTER SAID HE
HAD A PAPER, OR A NON-PAPER "IF YOU WISHED TO CALL IT
THAT", AND ASKED DCM WHETHER HE WANTED TO READ IT HIMSELF
OR HAVE RICHTER DO SO. SINCE DCM MADE NO MOVE TO TAKE
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THE PAPER, RICHTER READ BRIEFLY FROM IT, ASSERTING THAT
DURING THE PERIOD OCTOBER-DECEMBER 1977, AMERICAN CITI-
ZENS HAD BEEN INVOLVED IN 154 ACCIDENTS AND
VIOLATIONS OF STREET REGULATIONS IN "BERLIN, THE CAPITAL
OF THE GDR". HE SAID THAT THE DAMAGES FROM THESE ACCI-
DENTS AMOUNTED TO SEVERAL THOUSAND US DOLLARS. HE REQUES-

TED THAT APPROPRIATE AMERICAN AUTHORITIES BE INFORMED OF THIS INFORMATION, THE NEED FOR AMERICAN CITIZENS IN BERLIN TO OBEY LOCAL ORDINANCES, AND THAT COMPENSATION SHOULD BE ARRANGED FOR THOSE GDR CITIZENS INVOLVED IN ACCIDENTS WITH AMERICANS.

2. THE DCM POINTED OUT TO RICHTER THAT WHEN THE MFA HAD CALLED TO ASK THE DCM TO SEE RICHTER AFTER SEEING AMB. THUN OF THE INTERNATIONAL ORGANIZATION SECTION ON INFCE (SEPTTEL), WE HAD ASKED WHAT THE SUBJECT WAS ABOUT. THE PROTOCOL SECTION HAD SAID THEY "THOUGHT IT WAS ABOUT THE WESTERN SECTORS OF BERLIN". SINCE PROTOCOL DID NOT SEEM COMPLETELY CERTAIN ABOUT THE SUBJECT OF THE MEETING, AND IN KEEPING WITH OUR DESIRE TO MAINTAIN EFFECTIVE WORKING RELATIONS WITH THE FOREIGN MINISTRY, THE DCM HAD ACCEPTED THE APPOINTMENT WITH RICHTER. HOWEVER, AS RICHTER WAS AWARE, WE DID NOT AND DO NOT CONSIDER THE MINISTRY OF FOREIGN AFFAIRS OR THE EMBASSY AS COMPETENT CHANNELS TO DISCUSS BERLIN MATTERS. THERE WERE OTHER CHANNELS THAT SHOULD BE USED FOR THIS PURPOSE. THE DCM ADDED THAT NO ONE IS IN FAVOR OF VIOLATING TRAFFIC REGULATIONS OR IN FAVOR OF TRAFFIC ACCIDENTS AND THAT AMERICANS ARE INSTRUCTED TO OBEY TRAFFIC LAWS IN THE CITY. IF ANY OF THE ACCIDENTS OR VIOLATIONS INVOLVED EMBASSY PERSONNEL, THE DCM WOULD LIKE TO KNOW. RICHTER DID NOT RESPOND TO THIS POINT. THE DCM WENT ON TO POINT OUT THAT CONTINUED EFFORTS BY THE MINISTRY TO RAISE THE STATUS OF BERLIN SUBJECTS WITH THE EMBASSY COULD NOT HELP BUT COMPLICATE

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RELATIONS.

3. RICHTER RESPONDED THAT THE MINISTRY DID NOT QUESTION THAT THE U.S. GOVERNMENT HAD VIEWS DIFFERENT FROM THE GDR ON BERLIN, BUT THEY LOOKED ON THESE VIOLATIONS/ACCIDENTS AS A MATTER TO BE SOLVED IN A QUIET, PRACTICAL WAY. HE WENT ON TO SAY THAT AS THEY HAD DISCUSSED THIS ISSUE BEFORE WITH US, HE COULD NOT ASSURE US THAT THEY WOULD NOT BE DOING SO AGAIN IN THE FUTURE.

4. RICHTER THEN TOOK FROM HIS POCKET A SMALL NOTEBOOK, SAYING HE HAD ANOTHER MATTER TO RAISE, I.E., THE QUESTION OF BERLINAIR AND ITS FLIGHTS FROM WEST BERLIN TO CITIES IN WESTERN EUROPE AND THE FRG. HE SAID THE GDR HAD NOT GIVEN AUTHORITY TO BERLINAIR TO FLY AND REQUESTED THAT SUCH APPROVAL AND PERMISSION BE OBTAINED FROM THE GDR. HE ASSERTED FURTHER THAT WHAT WAS INVOLVED WAS A MATTER OF GDR SOVEREIGNTY. THE DCM TOLD RICHTER THAT BERLINAIR WAS ABSOLUTELY NOT A MATTER THAT FALLS WITHIN THE COMPETENCE OF THE GDR OR THE EMBASSY. APPROVAL FOR BERLINAIR HAD BEEN GIVEN BY THE COMPETENT AUTHORITIES IN WEST BERLIN

IN ACCORDANCE WITH APPROPRIATE REGULATIONS AND PRACTICES.
THE QUESTION OF GDR SOVEREIGNTY WAS NOT INVOLVED, SINCE
POST-WORLD WAR II ARRANGEMENTS GOVERNED THE USE OF THE AIR
CORRIDORS, ARRANGEMENTS TO WHICH THE GDR WAS NOT A PARTY.

5. RICHTER BROKE IN TO SAY THAT THE GDR REALIZED THAT
CERTAIN PRACTICES HAD GROWN UP SINCE WORLD WAR II. THE
GDR DID NOT WISH TO CAUSE COMPLICATIONS BUT AT THE
SAME TIME DID NOT WISH TO SEE THESE PRACTICES BEING EX-
PANDED ANY MORE THAN THEY HAD BEEN. IN RESPONSE THE DCM
REITERATED THAT THE QUESTION OF APPROVAL FOR
BERLIN AIR TO FLY IN NO WAY FELL WITHIN THE COMPETENCE OF

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C O N F I D E N T I A L SECTION 02 OF 02 BERLIN 00870

THE GDR AND THAT IT WAS POINTLESS TO CONTINUE THE DISCUSS-
ION. IN CLOSING, THE DCM DREW RICHTER'S ATTENTION TO THE
JANUARY 25 CONVERSATION BETWEEN GDR EMBASSY COUNSELOR
SIEMENS AND EUR/CE DIRECTOR WOESSNER, IN WHICH THE LATTER
CLEARLY AND FIRMLY TOLD SIEMENS THAT THE USG DOES NOT
DISCUSS BERLIN MATTERS WITH THE GDR. THE DCM EXPECTED
THAT THE FOREIGN MINISTRY WOULD CONSIDER SERIOUSLY HIS
OWN REMARKS AS WELL AS THOSE OF MR. WOESSNER.

7. COMMENT: RICHTER'S REMARKS WERE MADE IN A QUIET, LOW-
KEY MANNER AND WITHOUT ANY DEMANDS ON THE U.S. OR THREATS
OF COUNTERSTEPS. PART OF RICHTER'S PURPOSE IN RAISING
THE ALLEGED TRAFFIC VIOLATIONS MAY BE SIMPLY TO BUILD UP
A RECORD OF "DISCUSSING" BERLIN ACCESS ISSUES WITH US.

SINCE HE HAS IN EFFECT PUT US ON WARNING THAT THEY INTEND TO COME BACK TO THIS ISSUE AT SOME TIME, UNLESS INSTRUCTED OTHERWISE, WE WOULD MAKE PLAIN IN A COURTEOUS MANNER AT THE BEGINNING OF ANY SUCH DISCUSSION THAT WE WILL NOT HEAR THEM OUT.

8. WHILE WE HAVE NO DESIRE OR INTENTION TO DISCUSS WITH
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THE GDR TRAFFIC VIOLATIONS AND ACCIDENTS IN EAST BERLIN INVOLVING U.S. FORCES PERSONNEL IN GREEN-PLATED VEHICLES, WE THINK THE MATTER DOES REQUIRE ATTENTION IF WE ARE TO AVOID AN UNNECESSARY IRRITANT IN OUR RELATIONS. IN THIS CONNECTION, WE WOULD APPRECIATE LEARNING FROM THE MISSION WHAT KINDS OF INSURANCE MISSION AND MILITARY PERSONNEL ARE REQUIRED TO HAVE, WHETHER IT COVERS THEM WHILE IN EAST BERLIN OR THE GDR, AND WHETHER THERE IS SOME ARRANGEMENT BETWEEN FRG/WEST BERLIN INSURANCE COMPANIES WITH THE GDR FOR PAYMENTS INVOLVING ACCIDENTS IN EAST BERLIN OR THE GDR. WE WOULD ALSO LIKE TO KNOW WHAT THE PROCEDURES ARE FOR REPORTING ACCIDENTS IN EAST BERLIN AND THE GDR INVOLVING MISSION AND U.S. FORCES PERSONNEL.

9. WE HAVE CHECKED WITH THE BRITISH AND FRENCH EMBASSIES HERE AND AS OF NOW THEY HAVE NOT BEEN CALLED BY THE MFA TO RECEIVE COMPLAINTS ABOUT TRAFFIC VIOLATIONS, AS THEY WERE IN NOVEMBER (REF B).

10. RICHTER'S REMARKS ON BERLINAIR WERE IN EVEN MORE LOW-KEY MANNER THAN THOSE ON THE ALLEGED VIOLATIONS/ACCIDENTS. HE MAY HAVE FELT ON EVEN LESS SOLID GROUND THAN WITH RESPECT TO THE VIOLATIONS/ACCIDENTS. WHILE WE HAVE NO WAY OF KNOWING, IT MAY BE THAT THE GDR FEELS THE SOVIET REACTION TO BERLINAIR HAS NOT BEEN FORCEFUL ENOUGH AND THE GDR MERELY WISHED TO ADD ITS TWO CENTS. WE ARE UNAWARE OF ANY RECENT BERLINAIR DEVELOPMENTS THAT WOULD WARRANT A PARTICULAR GDR COMMENT AT THIS TIME. BOLEN

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